



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection
LAND USE REGULATION PROGRAM
501 E. STATE STREET
P. O. BOX 439
TRENTON, NEW JERSEY 08625-0439
Web Site: www.state.nj.us/dep/landuse

Robert C. Shinn, Jr.
Commissioner

Fax Number
(609) 777-3656

OCT 10 2000

Joseph G. Sweger
New Jersey Department of Transportation
1035 Parkway Avenue, P.O. Box 600
Trenton, New Jersey 08625

RE: Authorization for Freshwater Wetlands Statewide General Permit #10 Water Quality Certification and Waiver of Transition Area for Access
File No.: 1225-00-0011.1
Applicant: New Jersey DOT
Woodbridge Township, Middlesex County

Dear Mr. Sweger:

The Land Use Regulation Program has reviewed the referenced application for a Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. The proposed activity is authorized by Statewide General Permit No. 10, which allows minor road crossing fills and expansion of existing road crossing fills including attendant features, both temporary and permanent. This letter is a correction of a permit letter issued by the Department on September 20, 2000. This letter invalidates the previously issued permit.

This letter of authorization to conduct a regulated activity in a wetland or open water includes a Water Quality Certificate for these activities.

Limit of Authorized Disturbance

Based on plans entitled: "FRESHWATER WETLANDS GENERAL PERMIT PLAN, ROUTES U.S. 1(1953), U.S. 9 (1953), AND U.S. 1 & 9 (1953), CONTRACT NO. 035950170", sheets 8, 9, and 12, dated June 19, 2000, unrevised, and prepared by Federic R. Harris, Inc. the authorized activity involves the disturbance of 0.037 acres of wetlands and/or State open waters and associated transition area for the widening of a roadway and construction of attendant features. Any additional disturbance of freshwater wetlands, State open waters or transition area shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program.

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Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A 9.2 and 9.3, the following general conditions must be met for the activity authorized under this Statewide General Permit:

General conditions:

1. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. This permit is revocable in accordance with DEP regulations and State law.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.
4. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
5. No change in plans or specifications shall be made except with the prior written permission of the Department.
6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.
7. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.
8. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.

9. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Enforcement, NJDEP with written notification 7 days prior to the start of the authorized work.
10. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Transition Area

The wetlands affected by this permit authorization are of intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. This General Permit includes a transition area waiver which allows encroachment only in that portion of the transition area which has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Program. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-6.2(a).

Consistency with the Areawide Water Quality Management Plan

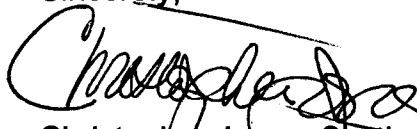
This project has not been reviewed for consistency with the relevant Water Quality Management Plan of Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15). As such, there is no intended or implied approval regarding additional permits which may be required from the Department. For treatment works approvals, the consistency determination will be performed by the Bureau of Engineering and Permitting (North/South) which may be contacted at (609) 292-6894 for North (Middlesex, Hunterdon and Counties north) or (609) 633-1139 for South (Mercer, Monmouth and Counties south). For general information concerning the water quality management planning process, please contact the Office of Environmental Planning at (609) 633-1179.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-12.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, PO Box 402, NJ 08625. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Katrina Wessling of our staff at (609) 633-6754 Please reference the above file number.

Sincerely,



Christopher Jones, Section Chief
Bureau of Inland Regulation

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c. Bureau of Enforcement
Woodbridge Township Clerk
Woodbridge Township Construction Official

A:Dep(C)Smfw0912